

Antonio M. Fernández

1902–1956

UNITED STATES REPRESENTATIVE 1943–1956
DEMOCRAT FROM NEW MEXICO

Antonio M. Fernández rose from a modest background to become an influential and noteworthy politician. As New Mexico's longest-serving Representative in the mid-20th century, he tirelessly defended his constituents. While concentrating on issues affecting the military and American Indians—two core groups in his At-Large district—he preferred to stay out of the limelight, focusing on compromise and diligent research. “Political leaders are necessary in our party system of Government,” Fernández once remarked, “but the men chosen by the people to serve in Congress can best do so if when elected they devote their time at their posts without too much regard for their own political fortunes, and certainly without attempting to direct and control the political fortunes of others.”¹

Antonio M. Fernández was born in Springer, in northwestern New Mexico, on January 17, 1902, to José Estevan and Maria Anita Fernández. Educated as a child in a one-room country schoolhouse, Fernández went on to attend New Mexico Normal University (now Highlands) in Las Vegas, New Mexico. After college, he married Cleofas Chavez on June 9, 1924. The couple had five children: Anita; Dolores; Antonio, Jr.; Orlando; and Manuel. Fernández worked in the office of a local judge and served as a court reporter in the Eighth Judicial District of New Mexico from 1925 to 1930. After earning a law degree at Cumberland University Law School in Lebanon, Tennessee, in 1931, Fernández was admitted to the bar in New Mexico and began practicing in Raton, New Mexico. He worked as an assistant district attorney of the Eighth Judicial District of New Mexico in 1933, and a year later he opened a law practice in Santa Fe. Before serving in the U.S. House, Fernández held a series of elected and appointed positions. In 1935 he represented Colfax County in the New Mexico house of representatives. As a state legislator, he introduced

and shepherded the first Rural Electrification Authority Act to passage.² After leaving office, Fernández was chief tax attorney for the New Mexico state tax commission before serving as assistant attorney general from 1937 to 1941. He then worked for the New Mexico public service commission in 1941 and 1942.

Reapportionment after the 1940 Census altered New Mexico's political landscape when the state gained a second seat in the U.S. House of Representatives. Fernández's legal background, political experience, and extensive public service attracted him to federal office, and in the 1943 Democratic primary, he joined four other contenders for the two At-Large seats. Incumbent Representative Clinton Anderson easily topped the field to secure the first House seat, while Fernández and New Mexico state corporation commissioner Robert Valdez battled for the second spot. Amid allegations of voter fraud and irregularities by both Fernández and Valdez, the New Mexico state canvassing board led an investigation that included several recounts in the disputed precincts. On October 7, 1942, nearly one month after the primary, the board ruled that Fernández had won the nomination by a slim 45-vote margin.³

In the general election, Fernández again placed second behind Representative Anderson, but he defeated his nearest Republican opponent, William A. Sutherland, by nearly 14,000 votes to earn a seat in the 78th Congress (1943–1945).⁴ Fernández was usually the second highest vote getter, but in New Mexico's At-Large campaigns that was enough to win re-election. In 1950, however, he placed ahead of former Democratic New Mexico governor John Dempsey by 504 votes. During his tenure in the House, Fernández served alongside Democrat Georgia Lee Lusk, the first woman to represent New Mexico, and Democrat John E. Miles, New Mexico's governor from 1939 to 1942.⁵



Fernández's committee assignments reflected the interests and priorities of his southwestern state. In his first term, Fernández served on a host of committees: Claims; Indian Affairs; Insular Affairs; Irrigation and Reclamation; Mines and Mining; Public Lands; and Elections No. 1. During the 79th Congress (1945–1947), he retained his assignments, with the exception of Mines and Mining; in its place he chaired the Committee on Memorials. After the Legislative Reorganization Act of 1946 merged disparate committees with overlapping jurisdictions, Fernández served on the modified Public Lands Committee, a combination of four of his previous committee assignments (Indian Affairs, Irrigation and Reclamation, Insular Affairs, and Mining) during the 80th Congress (1947–1949).

Elected in the midst of World War II, Fernández ardently represented his military constituents when he arrived at the Capitol. He drew attention to the issue of absentee voting for servicemen and consistently supported increased federal funding for New Mexico military personnel. During debates on amendments to the Vocational Rehabilitation Act of 1943—legislation aimed at assisting disabled individuals, including war veterans—Fernández reminded his colleagues of the sacrifices New Mexico servicemen had made for the war effort, including a large number of troops who had suffered through the Bataan Death March in the Japanese-occupied Philippines. “New Mexico has more of her men in the armed forces injured and prisoners today than any other State except possibly Texas,” he remarked. Fernández proposed that his state should receive additional compensation from the government since the “wounded in battle are not distributed on an equal basis between the states” and since New Mexico relied disproportionately on federal aid.⁶

During his first term in office, Fernández supported the Servicemen's Readjustment Act, better known as the GI Bill of Rights, which passed the House on May 18, 1944. Among its chief provisions were tuition benefits for college-bound veterans and low-interest home mortgage loans. During the floor debate, Fernández took exception to a provision in the bill that would require returning soldiers

to prove that the war had interrupted their educational pursuits, saying, “the people of New Mexico would resent discrimination against a large proportion of their boys serving in the war, who because of lack of facilities, lack of opportunity, and lack of more encouragement, went to work at an early age instead of to school.”⁷ The House eventually adopted a compromise measure that required servicemen older than 24 to verify an interruption in schooling.⁸ The landmark legislation sailed through the House and Senate, with no dissenting votes.

After the war, Fernández continued to work on behalf of military personnel in New Mexico by assisting veterans and their families to process compensation claims. On October 18, 1951, he testified before the House Interstate and Foreign Commerce Committee to recommend the swift passage of legislation ensuring financial compensation for American prisoners of war. “I appear only because I feel we owe it to the people of my State, who in proportion to their numbers furnished the largest contingent of any State to the heroic defense of Bataan.”⁹ Throughout his House service, Fernández publicized the bravery of New Mexican POWs stationed in the Philippines during World War II. To honor their service and sacrifice, including the infamous Bataan Death March, in which American and Filipino soldiers who had surrendered were brutalized by the Japanese, Fernández lobbied for the rank promotion of prisoners of war in the Pacific Theater. Many of them were New Mexico Guardsmen. “Promotion,” Fernández maintained, “is only a token of the Nation's gratitude for the valor of all those men who held the Japanese at bay for many months without hope of rescue.” Their families, he added, looked “to Congress for some recognition of the aggravated circumstances under which they fell.”¹⁰

In the 78th and 79th Congresses, Fernández introduced legislation to establish a military aviation academy. One of the earliest Members of Congress to vocalize the need for a separate air force training facility, Fernández sought to make New Mexico a leading contender in a competitive process that involved several states vying to host the new military academy. Emphasizing his state's vast space and temperate climate—both favorable for flying—Fernández

added, “New Mexico has shown a spirit which should be recognized by the Nation and rewarded with something more tangible than praise.”¹¹ In keeping with his determination to recognize the sacrifices made by the military, Fernández observed that an aviation academy located in New Mexico would be a fitting tribute and a “perpetual memorial” to the many soldiers of his state who had been involved in the Bataan Death March. But despite the support of Senator Dennis Chavez of New Mexico, who also introduced similar legislation, the Air Force ultimately built its facilities in Colorado Springs, Colorado.¹²

In the 81st Congress (1949–1951), Fernández relinquished his seat on Public Lands for a spot on the influential Appropriations Committee. A member of the Military Appropriations Subcommittee because of his knowledge of and experience with military affairs, Fernández also served on the Appropriations subcommittee responsible for the District of Columbia. Fernández quickly earned a reputation as an advocate for the District who lobbied for increased federal aid for the nation’s capital. The New Mexico Representative reminded his colleagues of the unique and complex situation posed by the District. “We must operate within a balanced budget for the District, against the background of needs for operation, maintenance, and particularly capital outlay, far above the money available,” he observed.¹³ According to Fernández, Congress had the responsibility to promote the public welfare of D.C. residents by providing adequate funding for their schools, police, and hospitals without placing an onerous tax burden on the District.¹⁴

Fernández sought to acquire federal aid for his Native-American constituents, especially the Navajo and Hopi tribes, two of the most destitute groups in the nation.¹⁵ In 1949 Fernández took center stage in a heated debate with John Collier, the former head of the Bureau of Indian Affairs. A major proponent of a 10-year, \$88 million appropriation that authorized new schools, roads, hospitals, and resource development on reservation lands, Fernández introduced an amendment that would place the Navajos and Hopis under state jurisdiction. The New Mexico Representative contended that American Indians

should be afforded the same rights as other state residents, including access to state courts.¹⁶ Although Collier supported the underlying impetus of the Navajo-Hopi rehabilitation bill, which first passed the House on July 14, 1949, he criticized Fernández’s rider and launched a public battle for its removal from the legislation.¹⁷ Collier used his position as a nationally recognized advocate for Native Americans to voice concern that states could manipulate their new jurisdictional power to seize control of Navajo and Hopi rights to water—an essential resource in the arid Southwest. He also speculated that shifting jurisdiction from the federal government to states could undermine Native-American independence by hindering tribal organization.¹⁸ Fernández took to the House Floor to defend his amendment, which he maintained would lead to a better quality of life and increased rights for the Navajos and Hopis. “It is time that we took some positive steps toward the final assimilation, education, and rehabilitation of the Indians as real citizens rather than perpetuate their segregation to the point of absurdity,” he asserted.¹⁹ Fernández adamantly denied that his amendment would provide states the authority to undermine any federal treaties with American Indian tribes and claimed that Collier “deliberately attempted to mislead the public.”²⁰ Amid the growing controversy and concern about the potential flaws and ambiguity of the measure, President Harry S. Truman vetoed the Navajo-Hopi Bill on October 17, 1949.²¹ More than five months later, on April 6, 1950, the House passed a revised economic aid bill for the Navajos and Hopis—a compromise measure with the Senate that eliminated Fernández’s amendment. The President signed the bill into law on April 19, 1950.²²

Throughout his House tenure, Fernández called for government intervention to assist the many impoverished people in New Mexico. An unswerving advocate of increased educational opportunities for the children of his state, he proposed Congress allocate federal funds to build new schools and improve existing facilities, particularly those for Hispanic Americans and American Indians. However, he balked at the notion of increased financial responsibility at the state level for American-Indian

education. “My State is desperately trying to educate the native children, the Spanish-speaking children of that State,” Fernández observed.²³ He explained that although he thought the education was essential for Native Americans’ increased independence and improved welfare, the state was not in a position to take on this responsibility.

Fernández also sought to help his constituents by using land grants. During the 78th Congress, he introduced legislation on behalf of Hispanic Americans living in northern New Mexico. Lamenting their challenging circumstances, Fernández asked for a federal land grant to accommodate a series of trade schools in the impoverished region: “Those good people, hedged in on very small holdings, starting life under a handicap by reason of inadequate familiarity with the language of the country and unable to compete with the industrial life of those who have followed from other States, come before you asking only that some of the land which once surrounded them and which would have provided for their increase, be set aside to their State in trust and on condition that the proceeds thereof be used for trade schools.”²⁴

On October 25, 1956, Fernández collapsed while campaigning for an eighth consecutive term in Congress. He suffered a stroke and was hospitalized for the remainder of the campaign. Despite well-publicized reports of his poor health, voters re-elected Fernández to demonstrate their loyalty; he finished behind fellow Democrat John Dempsey but defeated his closest Republican opponent, Dudley Cornell, by more than 13,000 votes.²⁵ After suffering a second stroke and lapsing into a coma, Fernández died on November 7, 1956, the day after his election to the 85th Congress (1957–1959). “I know of no member of Congress who was more able, upright and devoted to the service of the people he represented,” Representative Dempsey said. “He made understanding and brilliant contributions to his state and country which will stand as a monument to his sterling character.”²⁶ Majority Leader and future Speaker of the House John McCormack of Massachusetts remembered Fernández as “a great man in this body; not great so much as any speeches

are concerned but great in the real sense of greatness, in the contributions he made in committee to the production of legislation.”²⁷ Shortly after Fernández’s death, New Mexico state party leaders considered his widow as a possible candidate for the vacant House seat.²⁸ Ultimately, however, Democratic Lieutenant Governor Joseph Montoya received the party’s nomination and won the April 9, 1957, special election for the state’s second At-Large House seat.²⁹

FOR FURTHER READING

Biographical Directory of the United States Congress, “Antonio M. Fernández,” <http://bioguide.congress.gov>.

MANUSCRIPT COLLECTION

Yale University Library, Manuscripts and Archives (New Haven, CT). *Papers*: John Collier Papers, 1910–1987, 52.25 linear feet. Subjects include Antonio Manuel Fernández.

NOTES

- 1 “Fernandez Speaks at Farmington Rally,” 10 September 1942, *Albuquerque Journal*: 9.
- 2 Maurilio E. Vigil, “Antonio M. ‘Tony’ Fernandez,” in *Los Patrones: Profiles of Hispanic Political Leaders in New Mexico History* (Washington, D.C.: University Press of America, 1980): 154–156; “Death Takes Tony Fernandez, Winner in Congressional Race,” 7 November 1956, (Santa Fe) *New Mexican*: 1.
- 3 “Fernandez Appears Victor in New Mexico,” 7 October 1942, *Christian Science Monitor*: 8; “Valdez Demands Recounts of Vote in 7 Precincts,” 23 September 1942, *Albuquerque Journal*: 1; “45 Vote Divisions Still Disputed,” 30 September 1942, *Albuquerque Journal*: 2; “Fernandez Wins Congress Nomination by 45 Votes,” 8 October 1942, *Albuquerque Journal*: 2.
- 4 “Election Statistics, 1920 to Present,” <http://history.house.gov/institution/election-statistics/election-statistics>.
- 5 For information on Congresswoman Lusk, see Office of History and Preservation, Office of the Clerk, *Women in Congress, 1917–2006* (Washington, D.C.: U.S. Government Printing Office, 2006): 254–257.
- 6 *Congressional Record*, House 78th Cong., 1st sess. (10 June 1943): 5665.
- 7 *Congressional Record*, House, 78th Cong., 2nd sess. (17 May 1944): 4608.

- 8 “Withdraws Rival to GI Bill of Rights,” 18 May 1944, *New York Times*: 20; “Veteran Bill Unanimously Approved by Both Houses,” 14 June 1944, *Washington Post*: 1.
- 9 *Congressional Record*, House, 82nd Cong., 2nd sess. (3 June 1952): A3403.
- 10 *Congressional Record*, House, 78th Cong., 2nd sess. (19 September 1944): 7952.
- 11 *Congressional Record*, House, 78th Cong., 2nd sess. (26 April 1944): 3715.
- 12 “Colorado Site Picked for New Air Academy,” 25 June 1954, *Los Angeles Times*: 4; *Congressional Record*, House, 78th Cong., 2nd sess. (2 May 1944): A2091; “Johnson Asks ‘West Point of Air’; Bill for Academy Plan Due Today,” 1 August 1949, *New York Times*: 1.
- 13 *Congressional Record*, House, 83rd Cong., 1st sess. (2 June 1953): 5918.
- 14 *Congressional Record*, House, 83rd Cong., 1st sess. (14 June 1954): 8182–8183.
- 15 For historical information on American Indians, see H. B. Shaffer, “Changing Status of American Indians,” in *Editorial Research Reports*, 1954, Volume 1 (Washington, D.C.: CQ Press. Retrieved Feb. 23, 2009, from CQ Press Electronic Library, CQ Researcher Online, <http://library.cqpress.com/cqresearcher/cqresrre1954052600>; and pp. 10–13 of P. Katel, “American Indians,” *CQ Researcher* 16: 361–384. Retrieved Feb. 23, 2009, from CQ Researcher Online, <http://library.cqpress.com/cqresearcher/cqresrre2006042800>.
- 16 Mary Spargo, “Fernandez Scores Collier on Indian Bill,” 11 October 1949, *Washington Post*: 2.
- 17 *Congressional Record*, House, 81st Cong., 1st sess. (14 July 1949): 9506.
- 18 “Ex-Commissioner Scores Indian Bill,” 26 September 1949, *New York Times*: 28.
- 19 *Congressional Record*, House, 81st Cong., 1st sess. (2 August 1949): 10646.
- 20 *Congressional Record*, House, 81st Cong., 1st sess. (10 October 1949): 14167–14168.
- 21 “President Vetoes Navajo-Hopi Bill,” 18 October 1949, *New York Times*: 29; Jack Goodman, “Indians Turn Thumbs Down on Big Gift with Strings,” 23 October 1949, *New York Times*: E10.
- 22 *Congressional Record*, House, 81st Congress, 2nd sess. (6 April 1950): 4901–4902; “House Passes Indian Aid Bill,” 7 April 1950, *New York Times*: 2; “President Signs Bill to Aid Indians; Hails 10-Year Rehabilitation,” 20 April 1950, *New York Times*: 1.
- 23 *Congressional Record*, House, 80th Cong., 1st sess. (25 April 1947): 4070.
- 24 *Congressional Record*, House, 78th Cong., 2nd sess. (13 January 1944): A154.
- 25 “Election Statistics, 1920 to Present,” <http://history.house.gov/institution/election-statistics/election-statistics>.
- 26 “Top State Leaders Express Sorrow at Death of Rep. A. M. Fernandez,” 8 November 1956, *Albuquerque Journal*: 2.
- 27 *Congressional Record*, House, 85th Cong., 1st sess. (22 January 1957): 853–854.
- 28 “Mrs. Fernandez Being Proposed for Congress,” 9 November 1956, *Albuquerque Journal*: 1.
- 29 “Democrat’s Success in New Mexico Hailed,” 11 April 1957, *New York Times*: 6.